

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRIAN COKE NG,

Plaintiff,

-against-

SEDGWICK CLAIMS MANAGEMENT  
INC., et al.,

Defendants.

23-CV-2145 (MKV) (BCM)

**INITIAL CASE MANAGEMENT  
ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

For the reasons discussed during today's initial case management conference, it is hereby  
ORDERED that:

1. The parties having confirmed that they did not intend the dismissal of a prior related case, No. 18-CV-9373, to operate as res judicata in this action, they shall, no later than **August 29, 2023**, jointly request in Case No. 18-CV-9373 that the court (a) vacate their stipulated dismissal *with prejudice* of that action, filed at Dkt. 42 therein, and (b) enter, in its stead, a stipulated dismissal *without prejudice*.
2. Defendants having obtained leave to file a motion to dismiss the Complaint in this action pursuant to Fed. R. Civ. P. 12, they shall file their motion no later than **September 15, 2023**. Plaintiff shall file his opposition papers no later than **October 11, 2023**. Defendants shall file any reply papers no later than **October 25, 2023**.
3. Discovery is STAYED pending the outcome of defendants' Rule 12 motion.
4. Plaintiff's motion to disqualify defendants' counsel (Dkts. 29, 30) is DENIED. Nothing in plaintiff's lengthy submissions suggests that defendants' counsel Aaron Gross, or his law firm, is subject to any disqualifying conflict.

Dated: New York, New York  
August 22, 2023

**SO ORDERED.**



**BARBARA MOSES**  
**United States Magistrate Judge**